

**DUKE'S**SYRACUSE, NY  
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SEWER ROOT CONTROL SPECIALISTS

October 29, 2004

Submitted Electronically

Public Information & Records Integrity Branch (PIRIB)  
Office of Pesticide Programs  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 40460-0001

Attn: Docket ID No. OPP-2004-0159

Subject: Public Comment for Revised Risk Assessment for Metam Sodium

To Whom It May Concern:

Duke's Sales & Service Inc. has applied sewer use root control products since 1975, including those containing metam sodium. As a nationwide industry leader, our company has the experience of thousands of metam sodium applications. While improvements in equipment and products have been made, occupational exposure continues to be of concern due to the chemical's volatility. Even though sewer systems are below ground, they are not closed off to the surface. Fumes from volatile compounds escape through open manholes, vent stacks and other access points, from which applications are made. Indeed, treating the walls of open manholes is part of the treatment. It is therefore critical for the Agency to properly assess and regulate any potential risk to handlers.

Furthermore, it has been well known within the Agency that metam sodium can adversely impact wastewater plant processes. Metam and/or its breakdown products can kill beneficial wastewater plant bacteria, in particular the nitrifying bacteria, which inhibits the plant's ability to properly treat sewage. The metam sodium may also pass through the plant, resulting in aquatic toxicity of the effluent. The public comment regarding the Norman, Oklahoma wastewater facility documented fish kills from one such event.

We note that the Sanitation Districts of Los Angeles County, the California Regional Water Quality Control Board, and the California Stormwater Quality

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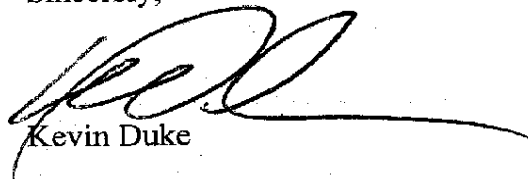
Association have all submitted public comments regarding the sewer use. We believe their comments and concerns are warranted, and urge the Agency to quickly implement their suggestions. While the revised environmental fate chapter states that risk from the trace contaminant (NDMA) must to be evaluated, the Agency did not address their other comments. Once the remaining issues are fully examined (i.e. risks to treatment plants, occupational workers, and risk from release into buildings), the labels should be amended to address the Agency's review.

We ask that the Agency immediately strengthen product labeling through this RED's product re-registration program. The first change should clearly prohibit use in storm drains. At this time, most labels prohibit use in storm drains *unless the effluent is treated by a wastewater plant*. This is information the applicator does not necessarily have, and cannot ensure. The language is therefore not protective enough of potential risk to surface water bodies. Even in situations where effluent from a storm drain is typically treated by a wastewater plant, heavy rains and overflow near the time of application can divert the effluent away from the treatment plant.

The second label change should clearly and consistently require advance notification to the wastewater treatment plant. Label language on metam sewer use products is currently inconsistent in this regard, not specifying how much advance notice is required, how the notification must take place (in writing or by phone), to whom notice should be provided, and the type of information that should be relayed. This creates a haphazard situation, where wastewater treatment plants may or may not have sufficient time or information to properly assess potential impacts on their facility prior to the application being made. Even when applications are allowed, the treatment plant needs sufficient time and information to implement additional monitoring and/or to manage their processes in response to an expected impact. We therefore ask the Agency to implement consistent label language regarding the notification requirement.

Thank you for the opportunity to comment on the revised metam sodium risk assessments.

Sincerely,



Kevin Duke